

Application No. 10/567,597
Reply Brief dated May 19, 2009
Examiners Answer dated March 19, 2009

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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Appl. No. : 10/567,597
Applicant : Albrecht Rosenfeld, et al
Filed : February 3, 2006
For : STEERING MECHANISM FOR A MOTOR VEHICLE
TC/A.U. : 3611
Examiner : Anne Marie M. Boehler

Customer No: 30996

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REPLY BRIEF

In response to the Examiner's Answer dated March 19, 2009, the Appellants submit the following for their reply brief. The Appellants request withdrawal of the rejections made and that the Application be placed in line for Allowance.

REMARKS

In her Answer, the Examiner maintains that Rosell teaches a steering mechanism with a cylinder 50 that moves axially with respect to the piston and piston rod and is "fixed in the axial direction to the rack 30. Ends of the rack are pressed against arches 52 using pins 54. The arches are firmly fixed to the cylinder 50 (see col. 1, lines 51-53, and col. 2, lines 47-48). The arches do not move relative to the cylinder in any direction". The Examiner goes on to argue that the structure of the arches 52, in conjunction with the "firmly pinned distal ends of the rack, prevents any longitudinal movement of the rack relative to the cylinder".

Again, the Applicants disagree with the Examiner's analysis of this reference and again submit that Figs. 1, 2 and 4 contradict this interpretation. In Rosell, the rack clearly is movable relative to the cylinder. While tilting is disclosed in the reference, movement in the axial direction is also possible because the elastic discs 34 allow this movement. In addition, the rack is guided at its ends at 31 under two rollers or bolts 54. These bolts form a bearing which allows for some sliding movement, but ***only in the axial direction.***

The guiding channel 53 inside the arch device 52, as shown in Fig. 4, has a rectangular cross section, which closely corresponds to the cross-section of the rack body. A tilting movement of rack block 30 would be possible only if the arch

52 itself could move around the cylinder body 50. In that case, it would not be necessary to hold the ends of the rack under the cross-members 52; indeed, these ends could simply be screwed or welded onto the arches 52. Because the arch 52 is fixed to the end of the cylinder body 50, it cannot tilt around the axis of the cylinder (column 2, line 47 – 48).

From the figures, then, the practitioner skilled in the relevant art would conclude that the rack 30 is moveable in axial direction of the cylinder body 50, since the cross members 54 and the elastic elements 34 provide the appropriate bearings for this.

Figs. 1 and 2 support this interpretation by showing tapered ends of the rack body that are held down on the cylinder by cross members 54. These cross members 54 extend in a direction transverse to the longitudinal axis of the device. Since they are straight and since the tapered end of the rack is flat in this direction, a tilting movement is inhibited. This arrangement obviously is provided in order to enable the rack to move slightly under the cross members 54 in the axial direction of the cylinder.

Because Rosell's rack 30 is movable in this direction, a precise coupling without lost motion between the steering column and the track rods is not obtainable.

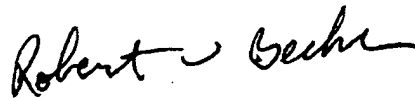
Furthermore, as the Applicants have explained, the misinterpretation based on the written specification is due to a translation error in the process of

translating the priority document into English (see Appeal Brief of Sep. 6, 2008 p. 6).

The Appellants submit that Rosell cannot be an appropriate reference either under MPEP section 2131, which indicates that to anticipate a claim a reference must teach every element of the claim in as complete detail as is contained in Applicant's claim, or under MPEP section 2143.03, since not all of Applicant's claim limitations are taught or suggested.

In view of the foregoing discussion, it is respectfully requested that the Honorable Board of Patent Appeals and Interferences overrule the final rejection of claims 14, 18-20, and 22-25 over the cited art, and hold that Appellants' claims be allowable over such art.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Robert W. Becker". The signature is fluid and cursive, with a long horizontal stroke at the end.

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